

# SENATE MOTION

## MADAM PRESIDENT:

**I move** that Engrossed House Bill 1120 be amended to read as follows:

- 1 Page 9, line 33, delete "issued by the" and insert "**with**".
- 2 Page 9, delete line 34.
- 3 Page 9, line 35, delete "adopted" and insert "**determined**".
- 4 Page 27, line 9, delete "portion" and insert "**part**".
- 5 Page 29, line 29, delete "(in" and insert "**(if**".
- 6 Page 62, line 41, delete "other than real property that is".
- 7 Page 62, line 42, delete "corporate property in an adopting county,".
- 8 Page 62, line 42, strike "for a stated".
- 9 Page 63, line 1, strike "assessment year." and insert "**other than real**
- 10 **property that is corporate property in a county that is funding**
- 11 **annual controlled tax increases for the year from county income**
- 12 **taxes."**
- 13 Page 63, line 10, delete "in an adopting county".
- 14 Page 63, line 11, delete "for a stated assessment year." and insert "**in**
- 15 **a county that is funding annual controlled tax increases for the year**
- 16 **from county income taxes."**
- 17 Page 63, line 26, delete "in an adopting county".
- 18 Page 63, line 27, delete "." and insert "**in a county that is funding**
- 19 **annual controlled tax increases for the year from county income**
- 20 **taxes."**
- 21 Page 63, line 36, delete "in an adopting county".
- 22 Page 63, line 37, delete "for a stated assessment year." and insert "**in**
- 23 **a county that is funding annual controlled tax increases for the year**
- 24 **from county income taxes."**
- 25 Page 64, delete lines 1 through 5.
- 26 Page 64, line 6, delete "(p)" and insert "**(o)**".
- 27 Page 83, line 24, delete "IC 5-1-17-26(b)," and insert
- 28 "**IC 5-1-17-26,**".
- 29 Page 86, between lines 1 and 2 begin a new paragraph and insert:
- 30 "SECTION 57. IC 6-8.1-1-1 IS AMENDED TO READ AS
- 31 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. "Listed taxes" or

"taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the river boat admissions tax (IC 4-33-12); the river boat wagering tax (IC 4-33-13); the gross income tax (IC 6-2.1) (repealed); the utility receipts ~~tax~~ **and utility services use taxes** (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC 6-3.5-1.1) **(repealed)**; the county option income tax (IC 6-3.5-6) **(repealed)**; the county economic development income tax (IC 6-3.5-7) **(repealed)**; the municipal option income tax (IC 6-3.5-8) **(repealed)**; the auto rental excise tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the alternative fuel permit fee (IC 6-6-2.1); the special fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the motor vehicle excise tax (IC 6-6-5); the commercial vehicle excise tax (IC 6-6-5.5); the hazardous waste disposal tax (IC 6-6-6.6); the cigarette tax (IC 6-7-1); **the county income tax (IC 6-11)**; the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various ~~county~~ food and beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the emergency and hazardous chemical inventory form fee (IC 6-6-10); the penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-30); the fees and penalties assessed for overweight vehicles (IC 9-20-4 and IC 9-30); the underground storage tank fee (IC 13-23); the solid waste management fee (IC 13-20-22); and any other tax or fee that the department is required to collect or administer."

Page 86, line 9, strike "and".

Page 87, line 11, delete "IC 5-1-17-26(b)," and insert **"IC 5-1-17-26,"**.

Page 88, line 7, delete "IC 5-1-17-26(b)," and insert **"IC 5-1-17-26,"**.

Page 89, line 27, delete "IC 5-1-17-26(b)," and insert **"IC 5-1-17-26,"**.

Page 90, line 25, delete "IC 5-1-17-26(b)." and insert **"IC 5-1-17-26."**.

Page 91, line 4, after "3" insert ".".

Page 91, line 10, delete "no" and insert **"not"**.

Page 91, line 17, delete "no" and insert **"not"**.

Page 91, line 31, after "For" delete "the".

Page 92, line 8, delete "July 31, 2005." and insert **"the last day of the month that succeeds the month in which the ordinance was adopted."**.

Page 92, delete line 38, begin a new paragraph and insert:

**"Sec. 11. The county fiscal body may adopt an ordinance requiring that the tax imposed under this chapter be reported on**

forms approved by the county treasurer and that the tax be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be".

Page 93, line 3, delete "So" and insert "As".

Page 93, line 7, delete "IC 5-1-17-26(b)," and insert "IC 5-1-17-26,".

Page 93, line 9, after "the" insert "county treasurer, if the tax is being paid to the county treasurer, to the treasurer of state. This amount plus fifty percent (50%) of the amounts received by the state from the taxes imposed under this chapter by counties shall be paid monthly by the".

Page 93, line 11, after "state" insert ".".

Page 93, line 12, delete "and the" and insert "The".

Page 93, line 12, after "remainder" insert "that is received by the state".

Page 93, line 19, after "be" insert "retained by the county treasurer or".

Page 94, delete lines 8 through 17, begin a new line block indented and insert:

**"(2) for any legal or corporate purpose of the county or political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4."**

Page 94, between lines 30 and 31, begin a new paragraph and insert:

**"(c) A tax imposed under this chapter terminates on January 1 of the year immediately following the year in which the last payment obligation of the capital improvement board is made with respect to any bond, lease, or other obligation described in section 12(a) of this chapter that existed on July 1, 2006."**

Page 103, line 42, delete "levy" and insert "tax".

Page 104, line 5, delete "tax" and insert "levy".

Page 104, line 31, after "taxes." insert "Adoption of the ordinance does not increase the controlled levy limit of any political subdivision in the county."

Page 105, line 34, delete "in proportion to the amount" and insert "as provided in".

Page 105, line 35, delete "of".

Page 107, line 35, after "than" insert "a school corporation or".

Page 108, line 42, after "than" insert "a school corporation or".

Page 111, line 8, after "than" insert "a school corporation or".

Page 144, line 24, after "make" insert "a".

Page 144, between lines 29 and 30, begin a new line blocked left and insert:

**"A political subdivision's controlled tax limit is increased by the amount and for the years that an increase is granted under this section."**

- 1 Page 208, delete lines 15 through 42.
- 2 Page 209, delete lines 1 through 3.
- 3 Page 211, delete lines 7 through 42.
- 4 Delete pages 212 through 213.
- 5 Page 214, delete lines 1 through 36.
- 6 Page 232, line 36, after "subdivision," insert "**(including the**
- 7 **purpose of replacing revenue lost from granting in the ordinance**
- 8 **or resolution an additional property tax replacement credit that**
- 9 **exceeds the credits granted under any other law)**".
- 10 Page 253, line 27, delete "IC 5-1-17-26(b)," and insert
- 11 "**IC 5-1-17-26,**".
- 12 Page 267 delete lines 33 through 42.
- 13 Page 268 delete lines 1 through 9.
- 14 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1120 as printed April 4, 2005.)

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Senator KENLEY